

Petition For Revival Of An Application For Patent Abandoned
Unintentionally Under 37 CFR 1.137(b) (Small Entity)

Docket No.
33087

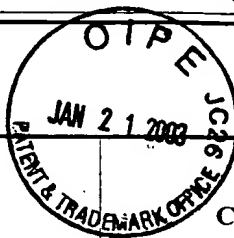
In Re Application Of: JAMES R. HARTE

Serial No.
09/553,837

Filing Date
April 20, 2000

Examiner
C. N. Hawkins

Group Art Unit
1734



Invention: EMPTY PACKAGE DETECTOR FOR LABELING APPARATUS

ASSISTANT COMMISSIONER FOR PATENTS

Attention: Office of Petitions

Box DAC

Washington, D.C. 20231

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper response to a notice or action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extension of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee--required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

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OFFICE OF PETITIONS

1. ☒ A proposed reply to the above-identified Office Action:

☒ is enclosed. ☐ was filed on _____

The proposed reply is in the form of: 7 sheets of formal drawings

2. ☒ The issue fee:

☐ is enclosed. ☒ was paid on August 23, 2002 01/22/2003 CHUYEN 00000357 09553837
01/22/2003 01/22/2003 650.00 CP

3. ☐ A small entity declaration:

☐ is enclosed. ☐ was filed on _____

4. ☐ The abandoned application was a:

☐ design application. ☒ utility application. ☐ plant application.

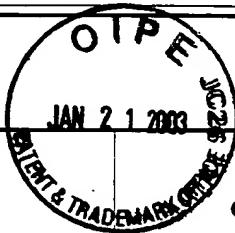
5. ☐ A terminal disclaimer (and fee) disclaiming a period equivalent to the period of abandonment is enclosed.

6. ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

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Examiner
C. N. Hawkins

Group Art Unit
1734

Invention: **EMPTY PACKAGE DETECTOR FOR LABELING APPARATUS**

Calculation and Payment of Fees

Enclosed are the following fees:

- | | |
|---|----------|
| 7. <input checked="" type="checkbox"/> Petition fee under 37 CFR 1.17(m) in the amount of: | \$650.00 |
| 8. <input type="checkbox"/> Fee for amendment in the amount of: | |
| 9. <input type="checkbox"/> Fee for extension of time to reply to Office Action in the amount of: | |
| 10. <input type="checkbox"/> Issue fee in the amount of: | |
| 11. <input type="checkbox"/> Continuing application filing fee in the amount of: | |
| 12. <input type="checkbox"/> Terminal disclaimer fee in the amount of: | |
| 13. <input checked="" type="checkbox"/> <u>7 Sheets Formal Drawings</u> | |
| Total fees enclosed: \$650.00 | |

The fee of \$650 is to be paid as follows:

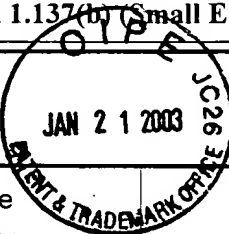
- ☒ A check in the amount of the fee is enclosed.
 - ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 19-0522
- A duplicate copy of this sheet is enclosed.

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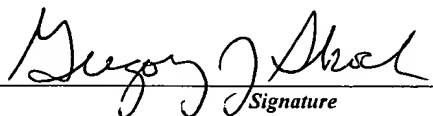
Examiner
C. N. Hawkins

Group Art Unit
1734

Invention: EMPTY PACKAGE DETECTOR FOR LABELING APPARATUS

Statement

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.


Signature

Dated: 14 January 2002

Gregory J. Skoch, Reg. No. 48,267
Hovey Williams LLP
2405 Grand Blvd., Suite 400
Kansas City, MO 64108
816/474-9050
816/474-9057 (FAX)

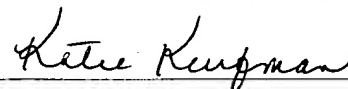
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cc:

I certify that this document and fee is being deposited
on 1-14-03 with the U.S. Postal Service as
first class mail under 37 C.F.R. 1.8 and is addressed to the
Assistant Commissioner for Patents, Washington, D.C.
20231.



Signature of Person Mailing Correspondence

KATIE KURFMAN

Typed or Printed Name of Person Mailing Correspondence